

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CR-331-3BO

UNITED STATES OF AMERICA)
)
v.)
)
MATTHEW SCOTT MCCLOUD)

ORDER

A hearing pursuant to Fed. R. Crim. P. 11 was conducted this day before the undersigned by telephone conference, during which the Court made a finding that defendant had waived the right to be physically present for the hearing because he was voluntarily absent from the courtroom and appearing by telephone conference.

In accordance with Section 15002(b)(2)(A) of the CARES Act, the Court further finds that for specific reasons the Rule 11 hearing in this case could not be further delayed without serious harm to the interests of justice. Specifically, it served the ends of justice to proceed without defendant being physically present in the courtroom in order to avoid the unprecedented and unacceptable health risk to defendant, the attorneys, and all court staff caused by the COVID-19 pandemic. The Court also finds that proceeding in this manner served the ends of justice because defendant reasonably requested and consented to appear by telephone conference. Finally, the Court finds that a telephone conference was appropriate as video teleconferencing is not reasonably available under these circumstances at this time.

SO ORDERED, this 29th day of April, 2020.


TERRENCE W. BOYLE
CHIEF UNITED STATES DISTRICT JUDGE